

1 (b) No other method of betting, pool making, wagering or
2 gambling shall be used or permitted by the licensee. Each
3 licensee may retain, subject to the payment of all applicable
4 taxes and purses, an amount not to exceed 17% of all money
5 wagered under subsection (a) of this Section, except as may
6 otherwise be permitted under this Act.

7 (b-5) An individual may place a wager under the
8 pari-mutuel system from any licensed location authorized
9 under this Act provided that wager is electronically recorded
10 in the manner described in Section 3.12 of this Act. Any
11 wager made electronically by an individual while physically
12 on the premises of a licensee shall be deemed to have been
13 made at the premises of that licensee.

14 (c) Until January 1, 2000, the sum held by any licensee
15 for payment of outstanding pari-mutuel tickets, if unclaimed
16 prior to December 31 of the next year, shall be retained by
17 the licensee for payment of such tickets until that date.
18 Within 10 days thereafter, the balance of such sum remaining
19 unclaimed, less any uncashed supplements contributed by such
20 licensee for the purpose of guaranteeing minimum
21 distributions of any pari-mutuel pool, shall be paid to the
22 Illinois Veterans' Rehabilitation Fund of the State treasury,
23 except as provided in subsection (g) of Section 27 of this
24 Act.

25 (c-5) Beginning January 1, 2000, the sum held by any
26 licensee for payment of outstanding pari-mutuel tickets, if
27 unclaimed prior to December 31 of the next year, shall be
28 retained by the licensee for payment of such tickets until
29 that date. Within 10 days thereafter, the balance of such
30 sum remaining unclaimed, less any uncashed supplements
31 contributed by such licensee for the purpose of guaranteeing
32 minimum distributions of any pari-mutuel pool, shall be
33 evenly distributed to the purse account of the organization
34 licensee and the organization licensee.

1 (d) A pari-mutuel ticket shall be honored until December
2 31 of the next calendar year, and the licensee shall pay the
3 same and may charge the amount thereof against unpaid money
4 similarly accumulated on account of pari-mutuel tickets not
5 presented for payment.

6 (e) No licensee shall knowingly permit any minor, other
7 than an employee of such licensee or an owner, trainer,
8 jockey, driver, or employee thereof, to be admitted during a
9 racing program unless accompanied by a parent or guardian, or
10 any minor to be a patron of the pari-mutuel system of
11 wagering conducted or supervised by it. The admission of any
12 unaccompanied minor, other than an employee of the licensee
13 or an owner, trainer, jockey, driver, or employee thereof at
14 a race track is a Class C misdemeanor.

15 (f) Notwithstanding the other provisions of this Act, an
16 organization licensee may contract with an entity in another
17 state or country to permit any legal wagering entity in
18 another state or country to accept wagers solely within such
19 other state or country on races conducted by the organization
20 licensee in this State. Beginning January 1, 2000, these
21 wagers shall not be subject to State taxation. Until January
22 1, 2000, when the out-of-State entity conducts a pari-mutuel
23 pool separate from the organization licensee, a privilege tax
24 equal to 7 1/2% of all monies received by the organization
25 licensee from entities in other states or countries pursuant
26 to such contracts is imposed on the organization licensee,
27 and such privilege tax shall be remitted to the Department of
28 Revenue within 48 hours of receipt of the moneys from the
29 simulcast. When the out-of-State entity conducts a combined
30 pari-mutuel pool with the organization licensee, the tax
31 shall be 10% of all monies received by the organization
32 licensee with 25% of the receipts from this 10% tax to be
33 distributed to the county in which the race was conducted.

34 An organization licensee may permit one or more of its

1 races to be utilized for pari-mutuel wagering at one or more
2 locations in other states and may transmit audio and visual
3 signals of races the organization licensee conducts to one or
4 more locations outside the State or country and may also
5 permit pari-mutuel pools in other states or countries to be
6 combined with its gross or net wagering pools or with
7 wagering pools established by other states.

8 (g) A host track may accept interstate simulcast wagers
9 on horse races conducted in other states or countries and
10 shall control the number of signals and types of breeds of
11 racing in its simulcast program, subject to the disapproval
12 of the Board. The Board may prohibit a simulcast program
13 only if it finds that the simulcast program is clearly
14 adverse to the integrity of racing. The host track simulcast
15 program shall include the signal of live racing of all
16 organization licensees. All non-host licensees shall carry
17 the host track simulcast program and accept wagers on all
18 races included as part of the simulcast program upon which
19 wagering is permitted. The costs and expenses of the host
20 track and non-host licensees associated with interstate
21 simulcast wagering, other than the interstate commission fee,
22 shall be borne by the host track and all non-host licensees
23 incurring these costs. The interstate commission fee shall
24 not exceed 5% of Illinois handle on the interstate simulcast
25 race or races without prior approval of the Board. The Board
26 shall promulgate rules under which it may permit interstate
27 commission fees in excess of 5%. The interstate commission
28 fee and other fees charged by the sending racetrack,
29 including, but not limited to, satellite decoder fees, shall
30 be uniformly applied to the host track and all non-host
31 licensees.

32 (1) Between the hours of 6:30 a.m. and 6:30 p.m. an
33 intertrack wagering licensee other than the host track
34 may supplement the host track simulcast program with

1 additional simulcast races or race programs, provided
2 that between January 1 and the third Friday in February
3 of any year, inclusive, if no live thoroughbred racing is
4 occurring in Illinois during this period, only
5 thoroughbred races may be used for supplemental
6 interstate simulcast purposes. The Board shall withhold
7 approval for a supplemental interstate simulcast only if
8 it finds that the simulcast is clearly adverse to the
9 integrity of racing. A supplemental interstate simulcast
10 may be transmitted from an intertrack wagering licensee
11 to its affiliated non-host licensees. The interstate
12 commission fee for a supplemental interstate simulcast
13 shall be paid by the non-host licensee and its affiliated
14 non-host licensees receiving the simulcast.

15 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an
16 intertrack wagering licensee other than the host track
17 may receive supplemental interstate simulcasts only with
18 the consent of the host track, except when the Board
19 finds that the simulcast is clearly adverse to the
20 integrity of racing. Consent granted under this
21 paragraph (2) to any intertrack wagering licensee shall
22 be deemed consent to all non-host licensees. The
23 interstate commission fee for the supplemental interstate
24 simulcast shall be paid by all participating non-host
25 licensees.

26 (3) Each licensee conducting interstate simulcast
27 wagering may retain, subject to the payment of all
28 applicable taxes and the purses, an amount not to exceed
29 17% of all money wagered. If any licensee conducts the
30 pari-mutuel system wagering on races conducted at
31 racetracks in another state or country, each such race or
32 race program shall be considered a separate racing day
33 for the purpose of determining the daily handle and
34 computing the privilege tax of that daily handle as

1 provided in subsection (a) of Section 27. Until January
2 1, 2000, from the sums permitted to be retained pursuant
3 to this subsection, each intertrack wagering location
4 licensee shall pay 1% of the pari-mutuel handle wagered
5 on simulcast wagering to the Horse Racing Tax Allocation
6 Fund, subject to the provisions of subparagraph (B) of
7 paragraph (11) of subsection (h) of Section 26 of this
8 Act.

9 (4) A licensee who receives an interstate simulcast
10 may combine its gross or net pools with pools at the
11 sending racetracks pursuant to rules established by the
12 Board. All licensees combining their gross pools at a
13 sending racetrack shall adopt the take-out percentages of
14 the sending racetrack. A licensee may also establish a
15 separate pool and takeout structure for wagering purposes
16 on races conducted at race tracks outside of the State of
17 Illinois. The licensee may permit pari-mutuel wagers
18 placed in other states or countries to be combined with
19 its gross or net wagering pools or other wagering pools.

20 (5) After the payment of the interstate commission
21 fee (except for the interstate commission fee on a
22 supplemental interstate simulcast, which shall be paid by
23 the host track and by each non-host licensee through the
24 host-track) and all applicable State and local taxes,
25 except as provided in subsection (g) of Section 27 of
26 this Act, the remainder of moneys retained from simulcast
27 wagering pursuant to this subsection (g), and Section
28 26.2 shall be divided as follows:

29 (A) For interstate simulcast wagers made at a
30 host track, 50% to the host track and 50% to purses
31 at the host track.

32 (B) For wagers placed on interstate simulcast
33 races, supplemental simulcasts as defined in
34 subparagraphs (1) and (2), and separately pooled

1 races conducted outside of the State of Illinois
2 made at a non-host licensee, 25% to the host track,
3 25% to the non-host licensee, and 50% to the purses
4 at the host track.

5 (6) Notwithstanding any provision in this Act to
6 the contrary, non-host licensees who derive their
7 licenses from a track located in a county with a
8 population in excess of 230,000 and that borders the
9 Mississippi River may receive supplemental interstate
10 simulcast races at all times subject to Board approval,
11 which shall be withheld only upon a finding that a
12 supplemental interstate simulcast is clearly adverse to
13 the integrity of racing.

14 (7) Notwithstanding any provision of this Act to
15 the contrary, after payment of all applicable State and
16 local taxes and interstate commission fees, non-host
17 licensees who derive their licenses from a track located
18 in a county with a population in excess of 230,000 and
19 that borders the Mississippi River shall retain 50% of
20 the retention from interstate simulcast wagers and shall
21 pay 50% to purses at the track from which the non-host
22 licensee derives its license as follows:

23 (A) Between January 1 and the third Friday in
24 February, inclusive, if no live thoroughbred racing
25 is occurring in Illinois during this period, when
26 the interstate simulcast is a standardbred race, the
27 purse share to its standardbred purse account.†

28 (B) Between January 1 and the third Friday in
29 February, inclusive, if no live thoroughbred racing
30 is occurring in Illinois during this period, and the
31 interstate simulcast is a thoroughbred race, the
32 purse share to its interstate simulcast purse pool
33 to be distributed under paragraph (10) of this
34 subsection (g).†

1 (C) Between January 1 and the third Friday in
2 February, inclusive, if live thoroughbred racing is
3 occurring in Illinois, between 6:30 a.m. and 6:30
4 p.m. the purse share from wagers made during this
5 time period to its thoroughbred purse account and
6 between 6:30 p.m. and 6:30 a.m. the purse share from
7 wagers made during this time period to its
8 standardbred purse accounts.†

9 (D) Between the third Saturday in February and
10 December 31, when the interstate simulcast occurs
11 between the hours of 6:30 a.m. and 6:30 p.m., the
12 purse share to its thoroughbred purse account.†

13 (E) Between the third Saturday in February and
14 December 31, when the interstate simulcast occurs
15 between the hours of 6:30 p.m. and 6:30 a.m., the
16 purse share to its standardbred purse account.

17 (F) Notwithstanding any other provision of
18 this Act, if, in any calendar year before 2002, a
19 racetrack located in Madison County conducts only
20 one breed of racing, either standardbred or
21 thoroughbred, then all purse moneys derived from
22 simulcast wagering required to be paid pursuant to
23 this Act shall be paid to the purse account of that
24 breed. The provisions of this subparagraph (F) are
25 declarative of existing law.

26 (G) Notwithstanding any other provision of
27 this Act, if, in any calendar year after 2001, a
28 racetrack located in Madison County conducts only
29 one breed of racing, either standardbred or
30 thoroughbred, then all purse moneys derived from
31 simulcast wagering required to be paid pursuant to
32 this Act shall be paid to the purse account of that
33 breed, provided that the racetrack conducts at least
34 as many days of live racing as were conducted in

1 calendar year 2000 at that racetrack;

2 (8) Notwithstanding any provision in this Act to
3 the contrary, an organization licensee from a track
4 located in a county with a population in excess of
5 230,000 and that borders the Mississippi River and its
6 affiliated non-host licensees shall not be entitled to
7 share in any retention generated on racing, inter-track
8 wagering, or simulcast wagering at any other Illinois
9 wagering facility.

10 (8.1) Notwithstanding any provisions in this Act to
11 the contrary, if 2 organization licensees are conducting
12 standardbred race meetings concurrently between the hours
13 of 6:30 p.m. and 6:30 a.m., after payment of all
14 applicable State and local taxes and interstate
15 commission fees, the remainder of the amount retained
16 from simulcast wagering otherwise attributable to the
17 host track and to host track purses shall be split daily
18 between the 2 organization licensees and the purses at
19 the tracks of the 2 organization licensees, respectively,
20 based on each organization licensee's share of the total
21 live handle for that day, provided that this provision
22 shall not apply to any non-host licensee that derives its
23 license from a track located in a county with a
24 population in excess of 230,000 and that borders the
25 Mississippi River.

26 (9) (Blank).

27 (10) (Blank).

28 (11) (Blank).

29 (12) The Board shall have authority to compel all
30 host tracks to receive the simulcast of any or all races
31 conducted at the Springfield or DuQuoin State fairgrounds
32 and include all such races as part of their simulcast
33 programs.

34 (13) Notwithstanding any other provision of this

1 Act, in the event that the total Illinois pari-mutuel
2 handle on Illinois horse races at all wagering facilities
3 in any calendar year is less than 75% of the total
4 Illinois pari-mutuel handle on Illinois horse races at
5 all such wagering facilities for calendar year 1994, then
6 each wagering facility that has an annual total Illinois
7 pari-mutuel handle on Illinois horse races that is less
8 than 75% of the total Illinois pari-mutuel handle on
9 Illinois horse races at such wagering facility for
10 calendar year 1994, shall be permitted to receive, from
11 any amount otherwise payable to the purse account at the
12 race track with which the wagering facility is affiliated
13 in the succeeding calendar year, an amount equal to 2% of
14 the differential in total Illinois pari-mutuel handle on
15 Illinois horse races at the wagering facility between
16 that calendar year in question and 1994 provided,
17 however, that a wagering facility shall not be entitled
18 to any such payment until the Board certifies in writing
19 to the wagering facility the amount to which the wagering
20 facility is entitled and a schedule for payment of the
21 amount to the wagering facility, based on: (i) the racing
22 dates awarded to the race track affiliated with the
23 wagering facility during the succeeding year; (ii) the
24 sums available or anticipated to be available in the
25 purse account of the race track affiliated with the
26 wagering facility for purses during the succeeding year;
27 and (iii) the need to ensure reasonable purse levels
28 during the payment period. The Board's certification
29 shall be provided no later than January 31 of the
30 succeeding year. In the event a wagering facility
31 entitled to a payment under this paragraph (13) is
32 affiliated with a race track that maintains purse
33 accounts for both standardbred and thoroughbred racing,
34 the amount to be paid to the wagering facility shall be

1 divided between each purse account pro rata, based on the
2 amount of Illinois handle on Illinois standardbred and
3 thoroughbred racing respectively at the wagering facility
4 during the previous calendar year. Annually, the General
5 Assembly shall appropriate sufficient funds from the
6 General Revenue Fund to the Department of Agriculture for
7 payment into the thoroughbred and standardbred horse
8 racing purse accounts at Illinois pari-mutuel tracks.
9 The amount paid to each purse account shall be the amount
10 certified by the Illinois Racing Board in January to be
11 transferred from each account to each eligible racing
12 facility in accordance with the provisions of this
13 Section.

14 (h) The Board may approve and license the conduct of
15 inter-track wagering and simulcast wagering by inter-track
16 wagering licensees and inter-track wagering location
17 licensees subject to the following terms and conditions:

18 (1) Any person licensed to conduct a race meeting
19 at a track where 60 or more days of racing were conducted
20 during the immediately preceding calendar year or where
21 over the 5 immediately preceding calendar years an
22 average of 30 or more days of racing were conducted
23 annually or at a track located in a county that is
24 bounded by the Mississippi River, which has a population
25 of less than 150,000 according to the 1990 decennial
26 census, and an average of at least 60 days of racing per
27 year between 1985 and 1993 may be issued an inter-track
28 wagering license and, notwithstanding any other provision
29 of this Act, any person licensed to conduct a race
30 meeting of at least 60 days of live racing during the
31 immediately preceding calendar year at a racetrack
32 located in Madison County may be issued an inter-track
33 wagering license. Any such person having operating
34 control of the racing facility may also receive up to 6

1 inter-track wagering location licenses. In no event shall
2 more than 6 inter-track wagering locations be established
3 for each eligible race track, except that an eligible
4 race track located in a county that has a population of
5 more than 230,000 and that is bounded by the Mississippi
6 River may establish up to 7 inter-track wagering
7 locations. An application for said license shall be filed
8 with the Board prior to such dates as may be fixed by the
9 Board. With an application for an inter-track wagering
10 location license there shall be delivered to the Board a
11 certified check or bank draft payable to the order of the
12 Board for an amount equal to \$500. The application shall
13 be on forms prescribed and furnished by the Board. The
14 application shall comply with all other rules,
15 regulations and conditions imposed by the Board in
16 connection therewith.

17 (2) The Board shall examine the applications with
18 respect to their conformity with this Act and the rules
19 and regulations imposed by the Board. If found to be in
20 compliance with the Act and rules and regulations of the
21 Board, the Board may then issue a license to conduct
22 inter-track wagering and simulcast wagering to such
23 applicant. All such applications shall be acted upon by
24 the Board at a meeting to be held on such date as may be
25 fixed by the Board.

26 (3) In granting licenses to conduct inter-track
27 wagering and simulcast wagering, the Board shall give due
28 consideration to the best interests of the public, of
29 horse racing, and of maximizing revenue to the State.

30 (4) Prior to the issuance of a license to conduct
31 inter-track wagering and simulcast wagering, the
32 applicant shall file with the Board a bond payable to the
33 State of Illinois in the sum of \$50,000, executed by the
34 applicant and a surety company or companies authorized to

1 do business in this State, and conditioned upon (i) the
2 payment by the licensee of all taxes due under Section 27
3 or 27.1 and any other monies due and payable under this
4 Act, and (ii) distribution by the licensee, upon
5 presentation of the winning ticket or tickets, of all
6 sums payable to the patrons of pari-mutuel pools.

7 (5) Each license to conduct inter-track wagering
8 and simulcast wagering shall specify the person to whom
9 it is issued, the dates on which such wagering is
10 permitted, and the track or location where the wagering
11 is to be conducted.

12 (6) All wagering under such license is subject to
13 this Act and to the rules and regulations from time to
14 time prescribed by the Board, and every such license
15 issued by the Board shall contain a recital to that
16 effect.

17 (7) An inter-track wagering licensee or inter-track
18 wagering location licensee may accept wagers at the track
19 or location where it is licensed, or as otherwise
20 provided under this Act.

21 (8) Inter-track wagering or simulcast wagering
22 shall not be conducted at any track less than 5 miles
23 from a track at which a racing meeting is in progress.

24 (8.1) Inter-track wagering location licensees who
25 derive their licenses from a particular organization
26 licensee shall conduct inter-track wagering and simulcast
27 wagering only at locations which are either within 90
28 miles of that race track where the particular
29 organization licensee is licensed to conduct racing, or
30 within 135 miles of that race track where the particular
31 organization licensee is licensed to conduct racing in
32 the case of race tracks in counties of less than 400,000
33 that were operating on or before June 1, 1986. However,
34 inter-track wagering and simulcast wagering shall not be

1 conducted by those licensees at any location within 5
2 miles of any race track at which a horse race meeting has
3 been licensed in the current year, unless the person
4 having operating control of such race track has given its
5 written consent to such inter-track wagering location
6 licensees, which consent must be filed with the Board at
7 or prior to the time application is made.

8 (8.2) Inter-track wagering or simulcast wagering
9 shall not be conducted by an inter-track wagering
10 location licensee at any location within 500 feet of an
11 existing church or existing school, nor within 500 feet
12 of the residences of more than 50 registered voters
13 without receiving written permission from a majority of
14 the registered voters at such residences. Such written
15 permission statements shall be filed with the Board. The
16 distance of 500 feet shall be measured to the nearest
17 part of any building used for worship services, education
18 programs, residential purposes, or conducting inter-track
19 wagering by an inter-track wagering location licensee,
20 and not to property boundaries. However, inter-track
21 wagering or simulcast wagering may be conducted at a site
22 within 500 feet of a church, school or residences of 50
23 or more registered voters if such church, school or
24 residences have been erected or established, or such
25 voters have been registered, after the Board issues the
26 original inter-track wagering location license at the
27 site in question. Inter-track wagering location licensees
28 may conduct inter-track wagering and simulcast wagering
29 only in areas that are zoned for commercial or
30 manufacturing purposes or in areas for which a special
31 use has been approved by the local zoning authority.
32 However, no license to conduct inter-track wagering and
33 simulcast wagering shall be granted by the Board with
34 respect to any inter-track wagering location within the

1 jurisdiction of any local zoning authority which has, by
2 ordinance or by resolution, prohibited the establishment
3 of an inter-track wagering location within its
4 jurisdiction. However, inter-track wagering and
5 simulcast wagering may be conducted at a site if such
6 ordinance or resolution is enacted after the Board
7 licenses the original inter-track wagering location
8 licensee for the site in question.

9 (9) (Blank).

10 (10) An inter-track wagering licensee or an
11 inter-track wagering location licensee may retain,
12 subject to the payment of the privilege taxes and the
13 purses, an amount not to exceed 17% of all money wagered.
14 Each program of racing conducted by each inter-track
15 wagering licensee or inter-track wagering location
16 licensee shall be considered a separate racing day for
17 the purpose of determining the daily handle and computing
18 the privilege tax or pari-mutuel tax on such daily handle
19 as provided in Section 27.

20 (10.1) Except as provided in subsection (g) of
21 Section 27 of this Act, inter-track wagering location
22 licensees shall pay 1% of the pari-mutuel handle at each
23 location to the municipality in which such location is
24 situated and 1% of the pari-mutuel handle at each
25 location to the county in which such location is
26 situated. In the event that an inter-track wagering
27 location licensee is situated in an unincorporated area
28 of a county, such licensee shall pay 2% of the
29 pari-mutuel handle from such location to such county.

30 (10.2) Notwithstanding any other provision of this
31 Act, with respect to intertrack wagering at a race track
32 located in a county that has a population of more than
33 230,000 and that is bounded by the Mississippi River
34 ("the first race track"), or at a facility operated by an

1 inter-track wagering licensee or inter-track wagering
2 location licensee that derives its license from the
3 organization licensee that operates the first race track,
4 on races conducted at the first race track or on races
5 conducted at another Illinois race track and
6 simultaneously televised to the first race track or to a
7 facility operated by an inter-track wagering licensee or
8 inter-track wagering location licensee that derives its
9 license from the organization licensee that operates the
10 first race track, those moneys shall be allocated as
11 follows:

12 (A) That portion of all moneys wagered on
13 standardbred racing that is required under this Act
14 to be paid to purses shall be paid to purses for
15 standardbred races.

16 (B) That portion of all moneys wagered on
17 thoroughbred racing that is required under this Act
18 to be paid to purses shall be paid to purses for
19 thoroughbred races.

20 (C) Notwithstanding any other provision of
21 this Act, if, in any calendar year before 2002, a
22 racetrack located in Madison County conducts only
23 one breed of racing, either standardbred or
24 thoroughbred, then all purse moneys derived from
25 inter-track wagering required to be paid pursuant to
26 this Act shall be paid to the purse account of that
27 breed. The provisions of this subparagraph (C) are
28 declarative of existing law.

29 (D) Notwithstanding any other provision of
30 this Act, if, in any calendar year after 2001, a
31 racetrack located in Madison County conducts only
32 one breed of racing, either standardbred or
33 thoroughbred, then all purse moneys derived from
34 inter-track wagering required to be paid pursuant to

1 this Act shall be paid to the purse account of that
2 breed, provided that the racetrack conducts at least
3 as many days of live racing as were conducted in
4 calendar year 2000 at that racetrack.

5 (11) (A) After payment of the privilege or
6 pari-mutuel tax, any other applicable taxes, and the
7 costs and expenses in connection with the gathering,
8 transmission, and dissemination of all data necessary to
9 the conduct of inter-track wagering, the remainder of the
10 monies retained under either Section 26 or Section 26.2
11 of this Act by the inter-track wagering licensee on
12 inter-track wagering shall be allocated with 50% to be
13 split between the 2 participating licensees and 50% to
14 purses, except that an intertrack wagering licensee that
15 derives its license from a track located in a county with
16 a population in excess of 230,000 and that borders the
17 Mississippi River shall not divide any remaining
18 retention with the Illinois organization licensee that
19 provides the race or races, and an intertrack wagering
20 licensee that accepts wagers on races conducted by an
21 organization licensee that conducts a race meet in a
22 county with a population in excess of 230,000 and that
23 borders the Mississippi River shall not divide any
24 remaining retention with that organization licensee.

25 (B) From the sums permitted to be retained pursuant
26 to this Act each inter-track wagering location licensee
27 shall pay (i) the privilege or pari-mutuel tax to the
28 State; (ii) 4.75% of the pari-mutuel handle on intertrack
29 wagering at such location on races as purses, except that
30 an intertrack wagering location licensee that derives its
31 license from a track located in a county with a
32 population in excess of 230,000 and that borders the
33 Mississippi River shall retain all purse moneys for its
34 own purse account consistent with distribution set forth

1 in this subsection (h), and intertrack wagering location
2 licensees that accept wagers on races conducted by an
3 organization licensee located in a county with a
4 population in excess of 230,000 and that borders the
5 Mississippi River shall distribute all purse moneys to
6 purses at the operating host track; (iii) until January
7 1, 2000, except as provided in subsection (g) of Section
8 27 of this Act, 1% of the pari-mutuel handle wagered on
9 inter-track wagering and simulcast wagering at each
10 inter-track wagering location licensee facility to the
11 Horse Racing Tax Allocation Fund, provided that, to the
12 extent the total amount collected and distributed to the
13 Horse Racing Tax Allocation Fund under this subsection
14 (h) during any calendar year exceeds the amount collected
15 and distributed to the Horse Racing Tax Allocation Fund
16 during calendar year 1994, that excess amount shall be
17 redistributed (I) to all inter-track wagering location
18 licensees, based on each licensee's pro-rata share of the
19 total handle from inter-track wagering and simulcast
20 wagering for all inter-track wagering location licensees
21 during the calendar year in which this provision is
22 applicable; then (II) the amounts redistributed to each
23 inter-track wagering location licensee as described in
24 subpart (I) shall be further redistributed as provided in
25 subparagraph (B) of paragraph (5) of subsection (g) of
26 this Section 26 provided first, that the shares of those
27 amounts, which are to be redistributed to the host track
28 or to purses at the host track under subparagraph (B) of
29 paragraph (5) of subsection (g) of this Section 26 shall
30 be redistributed based on each host track's pro rata
31 share of the total inter-track wagering and simulcast
32 wagering handle at all host tracks during the calendar
33 year in question, and second, that any amounts
34 redistributed as described in part (I) to an inter-track

1 wagering location licensee that accepts wagers on races
2 conducted by an organization licensee that conducts a
3 race meet in a county with a population in excess of
4 230,000 and that borders the Mississippi River shall be
5 further redistributed as provided in subparagraphs (D)
6 and (E) of paragraph (7) of subsection (g) of this
7 Section 26, with the portion of that further
8 redistribution allocated to purses at that organization
9 licensee to be divided between standardbred purses and
10 thoroughbred purses based on the amounts otherwise
11 allocated to purses at that organization licensee during
12 the calendar year in question; and (iv) 8% of the
13 pari-mutuel handle on inter-track wagering wagered at
14 such location to satisfy all costs and expenses of
15 conducting its wagering. The remainder of the monies
16 retained by the inter-track wagering location licensee
17 shall be allocated 40% to the location licensee and 60%
18 to the organization licensee which provides the Illinois
19 races to the location, except that an intertrack wagering
20 location licensee that derives its license from a track
21 located in a county with a population in excess of
22 230,000 and that borders the Mississippi River shall not
23 divide any remaining retention with the organization
24 licensee that provides the race or races and an
25 intertrack wagering location licensee that accepts wagers
26 on races conducted by an organization licensee that
27 conducts a race meet in a county with a population in
28 excess of 230,000 and that borders the Mississippi River
29 shall not divide any remaining retention with the
30 organization licensee. Notwithstanding the provisions of
31 clauses (ii) and (iv) of this paragraph, in the case of
32 the additional inter-track wagering location licenses
33 authorized under paragraph (1) of this subsection (h) by
34 this amendatory Act of 1991, those licensees shall pay

1 the following amounts as purses: during the first 12
2 months the licensee is in operation, 5.25% of the
3 pari-mutuel handle wagered at the location on races;
4 during the second 12 months, 5.25%; during the third 12
5 months, 5.75%; during the fourth 12 months, 6.25%; and
6 during the fifth 12 months and thereafter, 6.75%. The
7 following amounts shall be retained by the licensee to
8 satisfy all costs and expenses of conducting its
9 wagering: during the first 12 months the licensee is in
10 operation, 8.25% of the pari-mutuel handle wagered at the
11 location; during the second 12 months, 8.25%; during the
12 third 12 months, 7.75%; during the fourth 12 months,
13 7.25%; and during the fifth 12 months and thereafter,
14 6.75%. For additional intertrack wagering location
15 licensees authorized under this amendatory Act of 1995,
16 purses for the first 12 months the licensee is in
17 operation shall be 5.75% of the pari-mutuel wagered at
18 the location, purses for the second 12 months the
19 licensee is in operation shall be 6.25%, and purses
20 thereafter shall be 6.75%. For additional intertrack
21 location licensees authorized under this amendatory Act
22 of 1995, the licensee shall be allowed to retain to
23 satisfy all costs and expenses: 7.75% of the pari-mutuel
24 handle wagered at the location during its first 12 months
25 of operation, 7.25% during its second 12 months of
26 operation, and 6.75% thereafter.

27 (C) There is hereby created the Horse Racing Tax
28 Allocation Fund which shall remain in existence until
29 December 31, 1999. Moneys remaining in the Fund after
30 December 31, 1999 shall be paid into the General Revenue
31 Fund. Until January 1, 2000, all monies paid into the
32 Horse Racing Tax Allocation Fund pursuant to this
33 paragraph (11) by inter-track wagering location licensees
34 located in park districts of 500,000 population or less,

1 or in a municipality that is not included within any park
2 district but is included within a conservation district
3 and is the county seat of a county that (i) is contiguous
4 to the state of Indiana and (ii) has a 1990 population of
5 88,257 according to the United States Bureau of the
6 Census, and operating on May 1, 1994 shall be allocated
7 by appropriation as follows:

8 Two-sevenths to the Department of Agriculture.

9 Fifty percent of this two-sevenths shall be used to
10 promote the Illinois horse racing and breeding
11 industry, and shall be distributed by the Department
12 of Agriculture upon the advice of a 9-member
13 committee appointed by the Governor consisting of
14 the following members: the Director of Agriculture,
15 who shall serve as chairman; 2 representatives of
16 organization licensees conducting thoroughbred race
17 meetings in this State, recommended by those
18 licensees; 2 representatives of organization
19 licensees conducting standardbred race meetings in
20 this State, recommended by those licensees; a
21 representative of the Illinois Thoroughbred Breeders
22 and Owners Foundation, recommended by that
23 Foundation; a representative of the Illinois
24 Standardbred Owners and Breeders Association,
25 recommended by that Association; a representative of
26 the Horsemen's Benevolent and Protective Association
27 or any successor organization thereto established in
28 Illinois comprised of the largest number of owners
29 and trainers, recommended by that Association or
30 that successor organization; and a representative of
31 the Illinois Harness Horsemen's Association,
32 recommended by that Association. Committee members
33 shall serve for terms of 2 years, commencing January
34 1 of each even-numbered year. If a representative

1 of any of the above-named entities has not been
2 recommended by January 1 of any even-numbered year,
3 the Governor shall appoint a committee member to
4 fill that position. Committee members shall receive
5 no compensation for their services as members but
6 shall be reimbursed for all actual and necessary
7 expenses and disbursements incurred in the
8 performance of their official duties. The remaining
9 50% of this two-sevenths shall be distributed to
10 county fairs for premiums and rehabilitation as set
11 forth in the Agricultural Fair Act;

12 Four-sevenths to park districts or
13 municipalities that do not have a park district of
14 500,000 population or less for museum purposes (if
15 an inter-track wagering location licensee is located
16 in such a park district) or to conservation
17 districts for museum purposes (if an inter-track
18 wagering location licensee is located in a
19 municipality that is not included within any park
20 district but is included within a conservation
21 district and is the county seat of a county that (i)
22 is contiguous to the state of Indiana and (ii) has a
23 1990 population of 88,257 according to the United
24 States Bureau of the Census, except that if the
25 conservation district does not maintain a museum,
26 the monies shall be allocated equally between the
27 county and the municipality in which the inter-track
28 wagering location licensee is located for general
29 purposes) or to a municipal recreation board for
30 park purposes (if an inter-track wagering location
31 licensee is located in a municipality that is not
32 included within any park district and park
33 maintenance is the function of the municipal
34 recreation board and the municipality has a 1990

1 population of 9,302 according to the United States
2 Bureau of the Census); provided that the monies are
3 distributed to each park district or conservation
4 district or municipality that does not have a park
5 district in an amount equal to four-sevenths of the
6 amount collected by each inter-track wagering
7 location licensee within the park district or
8 conservation district or municipality for the Fund.
9 Monies that were paid into the Horse Racing Tax
10 Allocation Fund before the effective date of this
11 amendatory Act of 1991 by an inter-track wagering
12 location licensee located in a municipality that is
13 not included within any park district but is
14 included within a conservation district as provided
15 in this paragraph shall, as soon as practicable
16 after the effective date of this amendatory Act of
17 1991, be allocated and paid to that conservation
18 district as provided in this paragraph. Any park
19 district or municipality not maintaining a museum
20 may deposit the monies in the corporate fund of the
21 park district or municipality where the inter-track
22 wagering location is located, to be used for general
23 purposes; and

24 One-seventh to the Agricultural Premium Fund to
25 be used for distribution to agricultural home
26 economics extension councils in accordance with "An
27 Act in relation to additional support and finances
28 for the Agricultural and Home Economic Extension
29 Councils in the several counties of this State and
30 making an appropriation therefor", approved July 24,
31 1967.

32 Until January 1, 2000, all other monies paid into
33 the Horse Racing Tax Allocation Fund pursuant to this
34 paragraph (11) shall be allocated by appropriation as

1 follows:

2 Two-sevenths to the Department of Agriculture.
3 Fifty percent of this two-sevenths shall be used to
4 promote the Illinois horse racing and breeding
5 industry, and shall be distributed by the Department
6 of Agriculture upon the advice of a 9-member
7 committee appointed by the Governor consisting of
8 the following members: the Director of Agriculture,
9 who shall serve as chairman; 2 representatives of
10 organization licensees conducting thoroughbred race
11 meetings in this State, recommended by those
12 licensees; 2 representatives of organization
13 licensees conducting standardbred race meetings in
14 this State, recommended by those licensees; a
15 representative of the Illinois Thoroughbred Breeders
16 and Owners Foundation, recommended by that
17 Foundation; a representative of the Illinois
18 Standardbred Owners and Breeders Association,
19 recommended by that Association; a representative of
20 the Horsemen's Benevolent and Protective Association
21 or any successor organization thereto established in
22 Illinois comprised of the largest number of owners
23 and trainers, recommended by that Association or
24 that successor organization; and a representative of
25 the Illinois Harness Horsemen's Association,
26 recommended by that Association. Committee members
27 shall serve for terms of 2 years, commencing January
28 1 of each even-numbered year. If a representative
29 of any of the above-named entities has not been
30 recommended by January 1 of any even-numbered year,
31 the Governor shall appoint a committee member to
32 fill that position. Committee members shall receive
33 no compensation for their services as members but
34 shall be reimbursed for all actual and necessary

1 expenses and disbursements incurred in the
2 performance of their official duties. The remaining
3 50% of this two-sevenths shall be distributed to
4 county fairs for premiums and rehabilitation as set
5 forth in the Agricultural Fair Act;

6 Four-sevenths to museums and aquariums located
7 in park districts of over 500,000 population;
8 provided that the monies are distributed in
9 accordance with the previous year's distribution of
10 the maintenance tax for such museums and aquariums
11 as provided in Section 2 of the Park District
12 Aquarium and Museum Act; and

13 One-seventh to the Agricultural Premium Fund to
14 be used for distribution to agricultural home
15 economics extension councils in accordance with "An
16 Act in relation to additional support and finances
17 for the Agricultural and Home Economic Extension
18 Councils in the several counties of this State and
19 making an appropriation therefor", approved July 24,
20 1967. This subparagraph (C) shall be inoperative and
21 of no force and effect on and after January 1, 2000.

22 (D) Except as provided in paragraph (11) of
23 this subsection (h), with respect to purse
24 allocation from intertrack wagering, the monies so
25 retained shall be divided as follows:

26 (i) If the inter-track wagering licensee,
27 except an intertrack wagering licensee that
28 derives its license from an organization
29 licensee located in a county with a population
30 in excess of 230,000 and bounded by the
31 Mississippi River, is not conducting its own
32 race meeting during the same dates, then the
33 entire purse allocation shall be to purses at
34 the track where the races wagered on are being

1 conducted.

2 (ii) If the inter-track wagering
3 licensee, except an intertrack wagering
4 licensee that derives its license from an
5 organization licensee located in a county with
6 a population in excess of 230,000 and bounded
7 by the Mississippi River, is also conducting
8 its own race meeting during the same dates,
9 then the purse allocation shall be as follows:
10 50% to purses at the track where the races
11 wagered on are being conducted; 50% to purses
12 at the track where the inter-track wagering
13 licensee is accepting such wagers.

14 (iii) If the inter-track wagering is
15 being conducted by an inter-track wagering
16 location licensee, except an intertrack
17 wagering location licensee that derives its
18 license from an organization licensee located
19 in a county with a population in excess of
20 230,000 and bounded by the Mississippi River,
21 the entire purse allocation for Illinois races
22 shall be to purses at the track where the race
23 meeting being wagered on is being held.

24 (12) The Board shall have all powers necessary and
25 proper to fully supervise and control the conduct of
26 inter-track wagering and simulcast wagering by
27 inter-track wagering licensees and inter-track wagering
28 location licensees, including, but not limited to the
29 following:

30 (A) The Board is vested with power to
31 promulgate reasonable rules and regulations for the
32 purpose of administering the conduct of this
33 wagering and to prescribe reasonable rules,
34 regulations and conditions under which such wagering

1 shall be held and conducted. Such rules and
2 regulations are to provide for the prevention of
3 practices detrimental to the public interest and for
4 the best interests of said wagering and to impose
5 penalties for violations thereof.

6 (B) The Board, and any person or persons to
7 whom it delegates this power, is vested with the
8 power to enter the facilities of any licensee to
9 determine whether there has been compliance with the
10 provisions of this Act and the rules and regulations
11 relating to the conduct of such wagering.

12 (C) The Board, and any person or persons to
13 whom it delegates this power, may eject or exclude
14 from any licensee's facilities, any person whose
15 conduct or reputation is such that his presence on
16 such premises may, in the opinion of the Board, call
17 into the question the honesty and integrity of, or
18 interfere with the orderly conduct of such wagering;
19 provided, however, that no person shall be excluded
20 or ejected from such premises solely on the grounds
21 of race, color, creed, national origin, ancestry, or
22 sex.

23 (D) (Blank).

24 (E) The Board is vested with the power to
25 appoint delegates to execute any of the powers
26 granted to it under this Section for the purpose of
27 administering this wagering and any rules and
28 regulations promulgated in accordance with this Act.

29 (F) The Board shall name and appoint a State
30 director of this wagering who shall be a
31 representative of the Board and whose duty it shall
32 be to supervise the conduct of inter-track wagering
33 as may be provided for by the rules and regulations
34 of the Board; such rules and regulation shall

1 specify the method of appointment and the Director's
2 powers, authority and duties.

3 (G) The Board is vested with the power to
4 impose civil penalties of up to \$5,000 against
5 individuals and up to \$10,000 against licensees for
6 each violation of any provision of this Act relating
7 to the conduct of this wagering, any rules adopted
8 by the Board, any order of the Board or any other
9 action which in the Board's discretion, is a
10 detriment or impediment to such wagering.

11 (13) The Department of Agriculture may enter into
12 agreements with licensees authorizing such licensees to
13 conduct inter-track wagering on races to be held at the
14 licensed race meetings conducted by the Department of
15 Agriculture. Such agreement shall specify the races of
16 the Department of Agriculture's licensed race meeting
17 upon which the licensees will conduct wagering. In the
18 event that a licensee conducts inter-track pari-mutuel
19 wagering on races from the Illinois State Fair or DuQuoin
20 State Fair which are in addition to the licensee's
21 previously approved racing program, those races shall be
22 considered a separate racing day for the purpose of
23 determining the daily handle and computing the privilege
24 or pari-mutuel tax on that daily handle as provided in
25 Sections 27 and 27.1. Such agreements shall be approved
26 by the Board before such wagering may be conducted. In
27 determining whether to grant approval, the Board shall
28 give due consideration to the best interests of the
29 public and of horse racing. The provisions of paragraphs
30 (1), (8), (8.1), and (8.2) of subsection (h) of this
31 Section which are not specified in this paragraph (13)
32 shall not apply to licensed race meetings conducted by
33 the Department of Agriculture at the Illinois State Fair
34 in Sangamon County or the DuQuoin State Fair in Perry

1 County, or to any wagering conducted on those race
2 meetings.

3 (i) Notwithstanding the other provisions of this Act,
4 the conduct of wagering at wagering facilities is authorized
5 on all days, except as limited by subsection (b) of Section
6 19 of this Act.

7 (Source: P.A. 91-40, eff. 6-25-99.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law."